

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**CHARLES A BOOMER, III,**

Plaintiff,

v.

Civil Action No. **3:22CV700 (RCY)**

**KENNETH R. MELVIN, *et al.*,**

Defendants.

**MEMORANDUM OPINION**

On November 17, 2022, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on March 27, 2023, the Court directed Plaintiff to pay an initial partial filing fee of \$34.67 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within thirty (30) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

  
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/s/ Roderick C. Young  
United States District Judge

Date: May 5, 2023  
Richmond, Virginia